

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 247 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

- 1 Page 1, delete lines 1 through 10, begin a new paragraph and insert:
- 2 "SECTION 1. IC 4-13.6-3-3, AS AMENDED BY HEA 1040-2006,
- 3 SECTION 65, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) There is established a
- 5 certification board. The following persons shall serve on the
- 6 certification board:
- 7 ~~(1) The state fire marshal or the state fire marshal's designee.~~
- 8 ~~(2) (1) The chief engineer of the department of natural resources.~~
- 9 ~~(3) (2) The director.~~
- 10 **(3) The building law compliance officer of the department of**
- 11 **homeland security.**
- 12 (b) The board shall administer IC 4-13.6-4."
- 13 Page 2, line 5, delete "." and insert ", **including terrorist activity.**".
- 14 Page 10, line 28, delete "following" and insert "~~following~~".
- 15 Page 11, between lines 38 and 39, begin a new paragraph and insert:
- 16 "SECTION 16. IC 10-19-1-2.3 IS ADDED TO THE INDIANA
- 17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 18 [EFFECTIVE JULY 1, 2006]: **Sec. 2.3. "Criminal intelligence**
- 19 **information" has the meaning set forth in IC 5-2-4-1.**"
- 20 Page 12, delete lines 1 through 9.
- 21 Page 13, between lines 29 and 30, begin a new paragraph and insert:
- 22 "**Sec. 1. As used in this chapter, "collect" means to solicit or**
- 23 **receive.**"
- 24 Page 13, line 30, delete "1." and insert "2."

Page 13, between lines 30 and 31, begin a new line block indented and insert:

"(1) collect;".

Page 13, line 31, delete "(1)" and insert **"(2)"**.

Page 13, line 32, delete "(2)" and insert **"(3)"**.

Page 13, line 33, delete "(3)" and insert **"(4)"**.

Page 13, line 34, delete "(4)" and insert **"(5)"**.

Page 13, line 35, delete "(5)" and insert **"(6)"**.

Page 13, line 36, before "intelligence" insert **"criminal"**.

Page 13, line 37, after "agencies" insert **"and private organizations"**.

Page 13, line 38, delete "." and insert **"in compliance with applicable state and federal laws and regulations, including 28 CFR 23."**

Page 13, line 39, delete "2." and insert **"3."**

Page 13, line 42, delete "and".

Page 14, line 1, delete "any agency of".

Page 14, line 1, delete "." and insert **"agencies; and**

(3) private organizations;

subject to applicable state and federal laws and regulations, including 28 CFR 23.

Sec. 4. The Indiana intelligence fusion center may collect criminal intelligence information only if:

(1) reasonable suspicion exists that the subject of the criminal intelligence information is involved with or has knowledge of possible criminal or terrorist activity; and

(2) the criminal intelligence information is relevant to the criminal or terrorist activity."

Page 14, line 27, after "that" delete "it".

Page 18, line 22, delete "[EFFECTIVE JULY 1, 2005]:" and insert "[EFFECTIVE JULY 1, 2006]:".

Page 20, delete lines 15 through 42, begin a new paragraph and insert:

"SECTION 34. IC 22-13-2-2, AS AMENDED BY HEA 1040-2006, SECTION 358, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) The commission shall adopt rules under IC 4-22-2 ~~and IC 22-13-2-5~~ to adopt a statewide code of fire safety laws and building laws.

(b) Before December 1, 2003, the commission shall adopt the most recent edition, including addenda, of the following national codes by rules under IC 4-22-2 and IC 22-13-2.5 **(before its repeal):**

(1) ANSI A10.4 (Safety Requirements for Personnel Hoists).

(2) ASME A17.1 (Safety Code for Elevators and Escalators, an American National Standard).

(3) ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts, American National Standard).

(4) ASME QEI-1 (Standard for the Qualification of Elevator

Inspectors, an American National Standard).

(5) The American Society of Civil Engineers (ASCE) Automated People Mover Standard 21.

(6) ANSI A90.1 Safety Code for Manlifts.

(c) Before July 1, 2006, the commission shall adopt the most recent edition, including addenda, of ASME A17.3 (Safety Code for Existing Elevators and Escalators, an American National Standard) by rules under IC 4-22-2 and IC 22-13-2.5 **(before its repeal)**.

(d) The commission shall adopt the subsequent edition of each national code, including addenda, to be adopted as provided under subsections (b) and (c) within eighteen (18) months after the effective date of the subsequent edition.

(e) The commission may amend the national codes as a condition of the adoption under subsections (b), (c), and (d).

(f) To the extent that the following sections of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1, apply to tents or canopies in which cooking does not occur, the commission shall suspend enforcement of the following sections of the International Fire Code, 2000 edition, until the division of fire and building safety recommends amendments to the commission under subsection (h) and the commission adopts rules under subsection (i) based on the recommendations:

(1) Section 2406.1 (675 IAC 22-2.3-233).

(2) Section 2406.2.

(3) Section 2406.3.

(g) To the extent that section 2403.2 of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1, applies to a tent or canopy in which there is an open flame, the commission shall suspend enforcement of section 2403.2 until the division of fire and building safety recommends amendments to section 2403.2 to the commission under subsection (h) and the commission adopts rules under subsection (i) based on the recommendations and amending section 2403.2.

(h) The division of fire and building safety shall recommend amendments to the commission to the following sections of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1:

(1) Section 2403.2.

(2) Section 2406.1 (675 IAC 22-2.3-233).

(3) Section 2406.2.

(4) Section 2406.3.

(i) After receiving and considering recommendations from the division of fire and building safety under subsection (h), and using the procedure set forth in IC 4-22-2-38, the commission shall amend the following sections of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1:

(1) Section 2403.2.

- 1 (2) Section 2406.1 (675 IAC 22-2.3-233).
- 2 (3) Section 2406.2.
- 3 (4) Section 2406.3."
- 4 Page 21, delete lines 1 through 36.
- 5 Page 23, line 15, delete ", at its discretion,".
- 6 Page 23, between lines 19 and 20, begin a new line blocked left and
- 7 insert:
- 8 **"However, all personnel file information shall be made available to**
- 9 **an affected member or the member's representative."**
- 10 Page 23, line 21, after "information" insert **"contained in files**
- 11 **described in subsection (a)"**.
- 12 Page 23, delete lines 32 through 33.
- 13 Renumber all SECTIONS consecutively.
- (Reference is to ESB 247 as reprinted February 22, 2006.)

Representative Ruppel

Adopted

Rejected

COMMITTEE REPORT

MR. SPEAKER:

Your Committee of One, to which was referred Engrossed Senate Bill 247, begs leave to report that said bill has been amended as directed.

Representative Ruppel